

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

FLEUR S. BRESLER, *et al.*,
Plaintiffs.

v.

WILMINGTON TRUST COMPANY, *et al.*,
Defendants.

Civil Action No.: 09-cv-02957-PJM
(lead case)
Consolidated with
Civil Action No.: 12-cv-03295-PJM

**JOINT PRETRIAL ORDER - ATTACHMENT B
DEFENDANTS' EXHIBIT LIST¹**

Pre-trial Ex. No.	Description	Bates Range
1.	Deposition of C. Bresler, dated August 31, 2010	N/A
2.	<i>Bresler, et al. v. Wilmington Trust Company, et al.</i> , Second Amended Complaint, filed December 3, 2010	N/A
3.	<i>Bresler, et al. v. Wilmington Trust Company, et al.</i> , Verified Amended Complaint, filed November 23, 2009	N/A
4.	November 21, 2003 Letter from E. Ianni to C. Bresler	WT-0000765 - 768

JAN 15 2014 ✓

¹ Defendants have included numerous documents herein based upon the anticipated need to rebut documents identified on Plaintiffs' proposed exhibit list. Defendants object to numerous exhibits identified by Plaintiffs on the basis of *inter alia*, relevance, authenticity, hearsay, parol, incompleteness, and prejudice. Defendants reserve the right to strike any exhibit identified herein based on the outcome of motions *in limine* concerning the scope of the trial, and resolving Defendants' objections to Plaintiffs' exhibits.

Plaintiffs have identified voluminous numbers of exhibits relating to other Wilmington Trust customers and prospective customers. Such exhibits involve irrelevant premium financing transactions involving different Wilmington Trust employees, different time periods, and different circumstances. Because Plaintiffs' designations are so voluminous, Wilmington Trust does not herein designate rebuttal exhibits, but reserves its rights to do so pending the outcome of its motions *in limine*.

Pre-trial Ex. No.	Description	Bates Range
5.	November 10, 2003 Emails between E. Ianni and L. Shaiman	WT-0000397 - 398 JAN 15 2014 ✓
6.	Charles S. Bresler Irrevocable Insurance Trust	BRES 001180 - 1208
7.	Investment Management Agreement	BRES 000107 - 112
8.	Collateral Pledge Agreement	BRES 000102 - 106 JAN 10 2014 ✓
9.	Plaintiff Sidney Bresler Responses to First Requests for Admission from Defendant Wilmington Trust	N/A
10.	January 16, 2004 Wire for \$3.7 million from C. Bresler's Wachovia Account to the Wilmington Trust Collateral Account	BRES 001352 JAN 10 2014 ✓
11.	January 20, 2004 Promissory Note	WT-0000269 - 271 JAN 10 2014 ✓
12.	Midland Policy No. 1592008600, dated January 20, 2004	BRES 000526 - 569 JAN 15 2014 ✓
13.	Sun Life Policy No. 020095131, dated January 11, 2004	BRES 000570 - 597 JAN 15 2014 ✓
14.	Travelers Policy No. 7423290, dated January 14, 2004	BRES 000598 - 624 JAN 15 2014 ✓
15.	February 15, 2005 Letter from E. Ianni to L. Shaiman	BRES 000020 - 22 JAN 10 2014 ✓
16.	March 3, 2005 Letter from E. Ianni to L. Shaiman	OBJV 000627 - 628 JAN 10 2014 ✓
17.	February 3, 2006 Letter from R. Wileczek to C. Bresler	BRES 000483 - 484 JAN 15 2014 ✓
18.	March 16, 2005 Email and attachments between G. Best to S. Bresler	WT-0007770 - 7799 JAN 10 2014 ✓
19.	March 31, 2005 Collateral Account Statement	WT-0010337 - 10350 JAN 22 2014 ✓
20.	March 23, 2005 Email between P. Wilson and S. Bresler	WT-0007721 JAN 15 2014 ✓
21.	March 31, 2005 Trust Account Statement	WT0003836 - 3845 JAN 22 2014 ✓
22.	November 16, 2005 Email from M. Waschull to S. Simonton and P. Atwater	WT-0007691 JAN 15 2014 ✓
23.	Responses of the Estate of Charles Bresler to Wilmington Trust's First Requests for Admissions	N/A

Pre-trial Ex. No.	Description	Bates Range
42.	March 3, 2006 Change in Terms Agreement	WT-0004367 - 4369
43.	January 20, 2004 Commercial Pledge Agreement	WT-0004373 - 4376 JAN 27 2014 ✓
44.	January 20, 2004 Business Loan Agreement	WT-0004382 - 4386 JAN 27 2014 ✓
45.	March 12, 2008 Change in Terms Agreement	WT-0002112 - 2114 JAN 27 2014
46.	June 17, 2013 Change in Terms Agreement	N/A JAN 27 2014 ✓
47.	September 26, 2011 Statement of Amendment to Domestic Registered Limited Liability Partnership, filed with Pennsylvania Department of State on behalf of Shaiman, Drucker, Beckman, Sobel, and Stutman LLP.	N/A
48.	UCC-1 Financing Statement No. 181415841, Filed with the Maryland State Department of Assessments and Taxation	N/A
49.	UCC-1 Financing Statement No. 2011 0889404, Filed with the Delaware Department of State March 10, 2011	N/A JAN 10 2014 ✓
50.	Amended UCC-1 Financing Statement Filed with the Maryland State Department of Assessments and Taxation on June 18, 2013	N/A
51.	Amended UCC-1 Financing Statement, No. 2013 2187558 Filed with the Delaware Department of State June 7, 2013	N/A
52.	November 10, 2013 Handwritten Notes	WT-0000820
53.	November 17, 2013 Handwritten Notes	WT-0000792 - 795
54.	December 3, 2003 Email from E. Ianni to D. Smith, R. Wileczek, A. Snook, P. Pistilli	WT-0000452 - 453
55.	December 3, 2003 Handwritten Notes	WT-0000839 - 841
56.	December 3, 2003 Handwritten Notes	WT-0000442
57.	Plaintiffs' Privilege Logs (including Bresler, ObjectiView, and Shaiman privilege logs)	N/A

Pre-trial Ex. No.	Description	Bates Range
58.	Fleur S. Bresler 2009 Preservation Trust	BRES 002226 - 2249
59.	Fleur Bresler Insurance Applied For list	OBJV 001656 - 1657
60.	Fleur Bresler Authorization to Share	OBJV 001623 - 1624
61.	Fleur S. Bresler 2009 Preservation Trust MetLife Life Insurance Policy Information	OBJV 003857 - 3858
62.	March 8, 2010 Lincoln Benefit Life In-force Illustration	OBJV 003839 - 3845
63.	Fleur S. Bresler 2009 Preservation Trust Insurance Policies Premium Payments	OBJV 003828
64.	John Hancock Life Insurance Company Medical Exam Form of Fleur S. Bresler	OBJV 001627 - 1631
65.	Avivia Life Insurance Application of Fleur S. Bresler	OBJV 001766 - 1773
66.	ING Life Insurance Application of Fleur S. Bresler	OBJV 001858 - 1870
67.	Mass Mutual Life Insurance Application of Fleur S. Bresler	OBJV 001900 - 1911
68.	June 21, 2010 Complaint in <i>ADC Builders, Inc. v. Bresler & Reiner, Inc., et al.</i> , No. 334102V in the Circuit Court for Montgomery County, MD	N/A
69.	January 10, 2011 Fourth Amended Complaint in <i>ADC Builders, Inc. v. Bresler & Reiner, Inc., et al.</i> , No. 334102V in the Circuit Court for Montgomery County, MD	N/A
70.	2011 Settlement Agreement and Release in <i>ADC Builders, Inc. v. Bresler & Reiner, Inc., et al.</i> , No. 334102V in the Circuit Court for Montgomery County, MD	N/A
71.	Biography of S. Laurence Shaiman	N/A
72.	Meeting Minutes dated November 21, 2003	WT-NR-0020320 - 324

Pre-trial Ex. No.	Description	Bates Range
73.	Switzky, Bryant R., <i>Onetime real estate stalwart Bresler & Reiner is in 'wind down' mode after overzealous expansion before the downturn</i> , Wash. Bus. Journal, Nov. 18, 2011	N/A
74.	Form 10-K of Bresler & Reiner Inc., March 31, 2008	N/A
75.	December 23, 2005 Letter to Carol Bresler	BRESLER 0005818
76.	September 11, 1979 Life Insurance Trust Agreement	N/A
77.	June 6, 1982 First Amendment to September 11, 1979 Life Insurance Trust Agreement	N/A
78.	October 5, 1984 Second Amendment to September 11, 1979 Life Insurance Trust Agreement	
79.	December 23, 2005 Letter to Carol Bresler	BRESLER 0005818
80.	December 27, 2004 Letter to Carol Bresler	BRESLER 0005819
81.	December 19, 2003 Letter to Carol Bresler	BRESLER 0005820
82.	January 4, 2002 Letter to Carol Bresler	BRESLER 0005821
83.	December 12, 2000 Letter to Carol Bresler	BRESLER 0005822
84.	December 22, 1999 Letter to Carol Bresler	BRESLER 0005823
85.	December 15, 1998 Letter to Carol Bresler	BRESLER 0005824
86.	May 15, 1997 Letter to Carol Bresler	BRESLER 0005825
87.	December 13, 1995 Letter to Carol Bresler	BRESLER 0005826
88.	October 27, 1994 Letter to Carol Bresler	BRESLER 0005827
89.	January 12, 1990 Letter to Children	BRESLER 0005828
90.	December 15, 1989 Letter to Carol Bresler	BRESLER 0005829
91.	Wachovia Trust Statement	BRESLER 0005830

JAN 22 2014 ✓

JAN 22 2014 ✓

JAN 22 2014 ✓

JAN 16 2014 ✓

JAN 22 2014 ✓

JAN 16 2014 ✓

Pre-trial Ex. No.	Description	Bates Range
92.	Tax Returns for the Estate of Charles Bresler and supporting schedules	ARONSON000001 - 380 JAN 27 2014
93.	Tax Returns of Charles and Fleur Bresler	ARONSON000381 - 738
94.	Handwritten notes dated March 10, 2005	WT-0001336 - 1337
95.	Katz and Kosierowski, Premium Financing For Leveraged Life Insurance: Not for the Faint of Heart, <i>Trusts and Estates</i> , April 2002.	N/A

FLEUR S. BRESLER, et al**vs.****WILMINGTON TRUST, et al****Civil No. PJM-09-2957****Defendants' Exhibits**

Exhibit No.	Identification	Admitted	Description	
96	1/10/2014	1/10/2014	Email from Ianni dated 3/21/05 to M. Waschull	✓
98	1/10/2014	1/10/2014	Boarding Data Sheet	✓
99	1/10/2014	1/10/2014	Loan Committee document datd 01/14/04	✓
101	1/22/2014	1/22/2014	Note on Wilmington Trust memo – “Telling them to pay premium”	✓
200	1/17/2014	1/17/2014	Report of Robert E. Pugh	✓
205	1/16/2014	1/16/2014	Life Insurance Premium paid by Wilmington	✓
208	1/22/2014	1/22/2014	Email from Ianni dated 12/21/04 to Shaiman	✓
217	1/27/2014	1/27/2014	Letter dated 3/13/09 to policy owner	✓
218	1/27/2014	1/27/2014	Letter dated 3/13/09 to Christina Carter	✓
219	1/27/2014	1/27/2014	Letter dated 3/313/09 to Policy Holder Services	✓